

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

Plaintiff(s),

v.

Case No.

Defendant(s).

Honorable Laurie J. Michelson
Magistrate Judge

**ORDER TO ATTEND SCHEDULING CONFERENCE
AND SUBMIT A CASE MANAGEMENT PROPOSAL
FOR REVIEW OF DENIAL OF BENEFITS UNDER ERISA**

The parties are hereby directed to appear for a Case Management and Scheduling Conference (“Conference”) on _____, at _____ in the chambers of the Honorable Laurie J. Michelson, 231 West Lafayette, Room 648, Theodore Levin U.S. Courthouse, Detroit, Michigan.

Because the complaint seeks review of a denial of benefits under the Employee Retirement Income Security Act (“ERISA”), 29 U.S.C. § 1001 *et seq.*, this case will be governed by the guidelines set forth by the United States Court of Appeals for the Sixth Circuit in *Wilkins v. Baptist Healthcare Sys., Inc.*, 150 F.3d 609, 619 (6th Cir. 1998).

To effectuate those guidelines, no later than **five (5) calendar days** before the Conference, each party shall prepare and serve on opposing counsel and the Judge’s chambers by email (Jane_Johnson@mied.uscourts.gov), hand delivery, or fax (313 234 5094), a Case Management Proposal. Do not file or docket the Proposal. Following the Conference, the Court will enter a Case Management and Scheduling Order.

The following Agenda Items are to be addressed in the Case Management Proposal:

1. **Related Cases:** Identify any pending related cases or previously adjudicated related cases.

2. **Case Summary:** Briefly describe the background of the action and the principal factual and legal issues.

3. **Administrative Record:** Briefly describe the contents and length of the administrative record and the date it will be served on counsel of record;

4. **Standard of Review:** State the applicable standard of review (de novo, arbitrary and capricious, etc.) with documentation supporting your position;

5. **Procedural Challenges:** State whether there will be a procedural challenge to the administrator's decision, such as an alleged lack of due process afforded by the administrator or alleged bias on its part, and outline the proposed discovery, if any;

6. **Schedule:** Propose an appropriate management plan, including a briefing schedule for cross-motions for judgment.

Counsel are encouraged to discuss their Case Management Proposals prior to the Scheduling Conference. Each party shall appear personally or by counsel and be prepared to address these Agenda Items. For good cause, however, the Court will consider conducting the conferences by telephone.